

REMARKS

Amendments

Amendments to the Claims

Applicant has amended the claims to more particularly point out what Applicant regards as the invention. In particular, Applicant claims that the on-site media service data includes metadata that allows the user to locate a specific segment of the content data. No new matter has been added as a result of these amendments because support for the amendments can be found, *intra alia*, on page 8, lines 11-12.

Rejections

Rejections under 35 U.S.C. § 103

Claims 16, 18-20, 23, 25-26, 28-29, and 41-42

Claims 16, 18-20, 23, 25-26, 28-29, and 41-42 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hendricks, et al., U.S. Patent 5,798,785 (previously cited) in view of Goldschmidt Iki et al., U.S. Patent No. 6,226,444 (previously cited), Barton, et al., U.S. Patent 6,233,389 (previously cited) and Grossman et al., U.S. Patent No. 5,798,785 (previously cited).

Hendricks discloses a system that delivers television programs to a reprogrammable set top terminal. The terminal presents menus to the viewer suggesting programs to view based on the user's indicated preferences.

Goldschmidt Iki discloses a system controller that records a broadcast program without commercials. The system controller detects the beginning and ending of a commercial in the broadcast program based on data that indicates the start/stop of a commercial in the broadcast program. For example, Goldschmidt Iki discloses a vertical blanking interval (VBI) analyzer that finds data in the VBI of the broadcast program to indicate a commercial starting and ending.

Barton discloses simultaneously storing and watching different broadcast television programs.

Grossman discloses displaying an image, such as an advertisement, during the time in between channel changes.

Claim 16, as amended, recites on-site media service data that allows the user to locate a specific segment of the content data. Because Hendricks is directed to suggesting programs to view and not to locating a specific segment of a program as claimed, Applicant respectfully submits that Hendricks cannot be properly interpreted as teaching or suggesting the claimed element.

With regards to Goldschmidt Iki, the Examiner equates Goldschmidt Iki's VBI data with Applicant's on-site media data. Goldschmidt Iki's VBI data indicates the start/end of a commercial. Because a system controller uses Goldschmidt Iki's VBI data to determine start/end of a commercial and not the user, Applicant respectfully submits that this VBI data cannot be properly equated to Applicant's on-site media data that allows the user to locate a specific segment of the content data as claimed. Furthermore, Applicant respectfully submits that there is no other section in Goldschmidt Iki that teaches or suggests on-site media service data that allows the user to locate a specific segment of the content data as claimed. Therefore, Goldschmidt Iki cannot teach or suggest the claimed element.

Because Barton is directed to storing and displaying television programs and does not disclose on-site media service data that allows the user to locate a specific segment of the content data, Barton cannot be properly interpreted as teaching or suggesting the claimed element.

Grossman is directed to displaying advertisements during channel and, thus, cannot teach or suggest on-site media service data that allows the user to locate a specific segment of the content data as claimed.

Therefore, the combination of Hendricks, Goldschmidt Iki, Barton, and Grossman cannot render obvious Applicant's claim 16 and claims 18-20, 23, 25-26, 28-29, and 41-42 that depend from it. Accordingly, Applicant respectfully requests the withdrawal of the rejection of the claims under 35 U.S.C. § 103(a) over the combination.

Claims 21-22, 24, and 27

Claims 21-22, 24, and 27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hendricks, Goldschmidt Iki, Barton, Grossman, and Alexander et al. U.S. Patent No. 6,177,931 (previously cited).

Alexander discloses an electronic programming guide that provides that ability for the user to select future scheduled television programs to record.

Claims 21-22, 24, and 27 depend on independent claim 16. Claim 16, as amended, recites on-site media service data that allows the user to locate a specific segment of the content data. Because Alexander discloses the user controlling which programs to record and not locating a segment in content using metadata, Alexander cannot teach or suggest the claimed element. Neither do Hendricks, Goldschmidt Iki, Barton, or Grossman.

Therefore, the combination of Hendricks, Goldschmidt Iki, Barton, Grossman, and Alexander cannot render obvious Applicant's claim 16 and claims 21-22, 24, and 27 that depend from it. Accordingly, Applicant respectfully requests the withdrawal of the rejection of the claims under 35 U.S.C. § 103(a) over the combination.

SUMMARY

Claims 16, 18-29, and 41-42 are currently pending. In view of the foregoing amendments and remarks, Applicant respectfully submits that the pending claims are in condition for allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Eric Replogle at (408) 720-8300 x7514.


Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

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